

MINUTES OF THE PLANNING COMMISSION MEETING OF AUGUST 16, 2006, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS.

MEMBERS PRESENT: Jim Keane, Tom Bowen, Geoff Armstrong, Amy Rosevear, Sue Ryser, Jerri Harwell, JoAnn Frost

EXCUSED: Doug Haymore, Gordon Nicholl

STAFF PRESENT: Associate Planner Glenn Symes, Planning Intern Bill Cobabe, Planning Coordinator Sherry McConkey

OTHERS PRESENT: George Richards, Jacob Horton, Daniel Simpkins, Derek Velarde, Darwin Christenson, Jerry Donaldson, Doug Adair

Chair Bowen called the meeting to order.

1.0 PUBLIC COMMENT

1.1 No public comment was given.

2.0 PUBLIC HEARING – CONDITIONAL USE – PLATINUM HEIGHTS

2.1 Mr. Symes explained that staff had received conditional use application from George Richards for a proposed 5 lot PUD (Planned Unit Development) on 1.3 acres of property located at 1573 East 7200 South and is in the R-1-8 zone. Mr. Symes stated that the applicant has complied with all requirements for a PUD (Planned Unit Development) in this zone and recommended approval based on the conditions listed in the staff report dated August 16, 2006 and the addition of condition 16;

1. That the number of lots be limited to five (5).
2. That all landscaped space counted toward the open space calculation be kept in joint ownership separate from individual lots to ensure perpetuity of open space.
3. Landscaping shall be completed as the plans represent and shall be completed at the time of final occupancy. In addition, a 100% landscape bond shall be required to ensure the improvements are made as represented.
4. All landscaped trees shall be a minimum of a 2 inch caliper upon planting.
5. The developer shall maintain all open space and landscaping within common areas until the time when the developer turns over control to the HOA.
6. That all improvements to the cross-section of 7200 South be completed before final occupancy is granted for any building (the improvements are specific to sidewalk, curb, and gutter).

7. The developer shall install new lights in the private right of way on his property per the Standards and Specifications for new construction.
 8. Lighting is required to be full cutoff able. Light fixtures shall be as shown in the plans.
 9. The developer shall provide refuse collection for the properties.
 10. Setbacks for main buildings in the PUD shall be as represented on the approved plans.
 11. The architecture for homes shown in the approved plans shall be the minimum standard for architecture in the development, and each new plan shall be examined by staff for consistency.
 12. Staff shall review all building permit applications for new homes to ensure architectural compliance and consistency.
 13. That the developer install and maintain the proposed 6' vinyl fence around the perimeter of the property with the exception of the southern portion as proposed in the plans.
 14. That the developer installs the 6' vinyl fence around the backyard of each house as shown in the plans.
 15. That the trees shown on the required 8' protection and screening strip along the western edge of the private road be no more than 30' apart with the exception to the Silk Tree which must be no more than 40' from the Birch Bark Flowering Cherry as shown on the plans.
 16. The conditional use permit is reviewed upon complaint.
- 2.2 Chair Bowen asked the applicant George Richards if he would like to add anything.
- George Richards stated he had nothing to add at this time.
- 2.3 Ms. Ryser asked who owned the northern most detention pond and if it would be listed on the plot plan.
- George Richards explained that the property is owned by the Murley family and that they were in the process of deeding the road access over to the PUD (Planned Unit Development) and that the Murley family would receive perpetual access to the road in the back.

Chair Bowen asked Mr. Symes who would be responsible to make sure this agreement is recorded properly.

Mr. Symes explained that staff and the city's engineer check for right of ways on the final plat before it is approved.

Chair Bowen suggests creating condition 17 which would state that staff shall review easement prior to recording.

2.4 Chair Bowen opened the public hearing.

2.5 Aaron Murley owns the property to the north and explained that he is very much in favor of this project.

2.6 Joe Filau expressed concern of the size of home being proposed for the lot behind his property. Mr. Filau explained that his family would lose the mountain views and privacy if a two-story home was placed in that lot.

Ms. Rosevear stated that the proposed two-story home is 90 feet off of his property line and should not obstruct any view.

Chair Bowen states that view is not something that the Planning Commission can control.

Mr. Symes stated that the height of the proposed house is 29 feet and that the distance between the new construction and the existing house is significant and should not impact the view.

2.7 Joe Filau asked if there would be a wall and how high would it be.

Chair Bowen explained that it would be a 6 foot vinyl fence.

2.8 Jerry Donaldson, Platinum Construction explained that the house that Mr. Filau had asked about is a rambler style with a bonus room above the garage and only has a slight height difference from a rambler.

2.9 Chair Bowen closed the public hearing.

3.0 Mr. Keane asked Mr. Symes if there is a requirement in place for the developer to speak to neighbors prior to the Planning Commission meeting.

Mr. Symes stated we have no requirement at this time and due to that it would be difficult to enforce.

3.1 Chair Bowen closed the public hearing.

3.2 Ms. Rosevear stated that the final plat would need to show that the side set backs do not match the R-1-8 zone and there are no property lines and that no landscaping other than grass be placed in the detention basin.

Ms. Ryser stated that the current plans do not show landscaping in the detention basin and that landscaping and maintenance of the effected area be added to the final approval of the project.

3.3 **MOTION:** Ms. Rosevear moved to approve the proposed PUD (Planned Unit Development) with the conditions stated in the staff report dated August 16, 2006 with the addition of condition #16, that the conditional use be reviewed upon complaint, #17, regarding the right of way, #18 no landscaping with the exception of grass in the detention basin, and #19 make a notation regarding the setbacks on the plat. The motion was seconded by Ms. Frost and passed on a 4 – 3 vote with Chair Bowen, Ms. Ryser and Mr. Keane opposed.

4.0 **MOTION:** Ms. Harwell moved to adjourn. Ms. Ryser seconded the motion and passed unanimously on voice vote.

Meeting adjourned at 7:37 pm.

Approved: 10-4-06 sm